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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,696	02/27/2002	Matthew A. Halsmer	390086.95223	6379

28382 7590 10/03/2003

QUARLES & BRADY LLP  
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MILWAUKEE, WI 53202-4497

EXAMINER
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BELLAMY, TAMIKO D

ART UNIT	PAPER NUMBER
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2856

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/084,696

Applicant(s)

HALSMER, MATTHEW A.

Examiner

Tamiko D. Bellamy

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7 and 15-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, and 15-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Amendment dated 7/17/03 has been received and entered. Claims 5-6, and 8-14 have been canceled. Claims 1-4,7, and 15-23 are currently pending.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-4, 7, and 15-23 are rejected under 35 U.S.C. 102(a) as being anticipated by Yokogawa (1999JP-0364425).

With respect to claim 1, Yokogawa discloses in fig. 3 a movable weight (105) that is configured along the radial direction of a rotation case (4); and the devise is used to adjust the rotation balance of a gantry. The movable weight (105) is inherently an electronically positioned weight. Furthermore, Yokogawa inherently provides a means for communicating power to the positionable weight as claimed.

With respect to claims 2, 20, and 21, as depicted in fig. 3 Yokogawa discloses the weights (105) of a first and second balancing device (101, 201) are attached to the gantry. Yokogawa further discloses that the position of the weights (105) can be changed continuously (pg. 3, par 34). Since the weights (105) are contained in separate balancing devices (101, 102), the weights (105) inherently receive independent position signals.

With respect to claims 3 and 22, as depicted in fig. 3 Yokogawa discloses movable weights (105) of a first and second balancing devices (101, 201) that are configured to move along the radial position of the gantry (pg. 3, par. 34). As depicted in fig. 3, the device of Yokogawa discloses the weights (105) of a first and second balancing device (101, 201) that are perpendicular to one another (pg. 3, par. 34).

With respect to claims 4 and 23, as depicted in fig. 3, the device of Yokogawa discloses the weights (105) of a first and second balancing device (101, 201) that have independent weight axis and the weight axis are perpendicular to one another.

With respect to claim 7, Yokogawa discloses in fig. 3 weights (105) of a first and second rotation balancing devices (101, 201) (pg. 3, par. 34). The weights (105) inherently move in independent weight axis.

With respect to claim 15, Yokogawa discloses a sensor (e.g., acceleration sensor 301) for detecting vibration (pg. 3, par. 34).

With respect to claims 16 and 19, Yokogawa discloses in fig. 3 a movable weight (105) that is configured along the radial direction of the rotation case (4). As depicted in fig. 3 the weights (105) of a first and second balancing device (101, 201) are attached to the gantry (pg. 3, par 34); and the movable weight (105) is a predetermined fixed weight. Since the movable weights (105) are attached to the movable case (4), the device in which Yokogawa disclose has to take in consideration of the acceleration of the rotation case (4) in order to balance the rotational case (4). Therefore, the device Yokogawa discloses inherently measures a parameter such as variations in acceleration, and in and out of plane forces on the gantry to balance the gantry.

With respect to claim 17, Yokogawa discloses the device is used to adjust the rotation balance of a gantry. Therefore, in order to adjust the balance of a gantry the imbalance of the gantry must first be detected. The device of Yokogawa discloses includes a gantry sensor (e.g., acceleration 301) for detecting out of balance operation of the gantry.

With respect to claim 18, Yokogawa discloses the device is used to adjust the rotation balance of a gantry. The gantry inherently rotates at a predetermined speed as claimed.

#### ***Response to Arguments***

4. Applicant's arguments filed 7/17/03 have been fully considered but they are not persuasive.

Applicant argues that the device of Yokogawa discloses a single axis movement of each weight. As depicted in fig. 3, the device of Yokogawa discloses the weights (105) of a first and second balancing device (101, 201) that have independent weight axis and the weight axis are perpendicular to one another. The weight (105) of a first balancing device (101) moves along the radius of the gantry includes points along the x-axis. Furthermore, the weight (105) of a second balancing device (201) moves along the radius of the gantry includes points along the y-axis.

#### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2856

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamiko D. Bellamy whose telephone number is (703) 305-4971. The examiner can normally be reached on Monday through Friday 10:00 AM to 7:30PM.

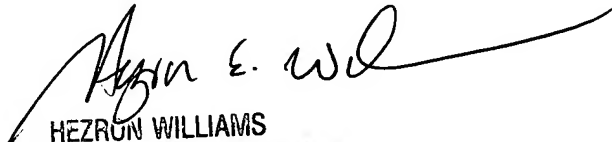
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on (703) 305-4705. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Tamiko Bellamy

T.B.

September 30, 2003

  
HEZRON WILLIAMS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800